

REMARKS

This is intended as a full and complete response to the Office Action dated July 21, 2009, having a shortened statutory period for response set to expire on October 21, 2009. Please reconsider the claims pending in the application for reasons discussed below.

Claims 9, 11-18, 25, 36, and 37 are pending in the application. Claims 9, 11-18, 25, 36, and 37 remain pending following entry of this response.

Claim Rejections - 35 U.S.C. § 103

Claims 9, 11-18 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Eintracht et al.* US 6687878 (hereinafter *Eintracht*) in view of *Davis et al.* US 7010144 (hereinafter *Davis*).

Applicants respectfully traverse this rejection.

The Examiner bears the initial burden of establishing a *prima facie* case of obviousness. See MPEP § 2141. Establishing a *prima facie* case of obviousness begins with first resolving the factual inquiries of *Graham v. John Deere Co.*, 383 U.S. 1 (1966). The factual inquiries are as follows:

- (A) determining the scope and content of the prior art;
- (B) ascertaining the differences between the claimed invention and the prior art;
- (C) resolving the level of ordinary skill in the art; and
- (D) considering any objective indicia of nonobviousness.

Once the *Graham* factual inquiries are resolved, the Examiner must determine whether the claimed invention would have been obvious to one of ordinary skill in the art.

Respectfully, Applicants submit that the Examiner has not properly characterized the teachings of the references and/or the claims at issue. Accordingly, a *prima facie* case of obviousness has not been established.

For example, the Examiner suggests that *Davis* discloses “an annotation browser configured to . . . provide one or more graphical user interfaces for creating and viewing the one or more annotations [annotating a plurality of data objects edited by a plurality

of different applications for editing the plurality of data objects, wherein each application performs a different type of editing].” Specifically, the Examiner asserts as follows:

Davis however does disclose: the annotation store and provide one or more graphical user interfaces for creating and viewing the one or more annotations (See column 2 lines 40-50)

Office Action, pages 3-4. However, *Davis* discloses no such limitation. To illustrate, the cited portion of *Davis* is provided below:

In other applications, it is useful to store additional data elsewhere, and refer to it through a reference hidden in the image.

One way to associate data with an image is to store the data in the image container (e.g., a file), but outside the image. Yet another way is store the data in a location external to the image file, and create an association between the image file and the external data. In this case, the image may be associated with the external data via a reference encoded in the image itself or in the image file that refers to the external data. Data associated with a digital object, such as an image, is sometimes referred to as “metadata.”

Davis, col. 2 lines 40-50. Generally, *Davis* is directed to associating metadata with graphical images. See *Davis*, Abstract. The cited portion of *Davis* teaches ways of associating image metadata with graphical images. Respectfully, *Davis* fails to disclose any annotation browser that provides one or more graphical user interfaces for creating and viewing metadata for objects edited by a plurality of different applications. Instead, *Davis* merely discloses selecting, from a list of predetermined image metadata, image metadata to associate with a graphical image. In particular, *Davis* fails to disclose any user interface for viewing metadata for objects. *Davis* also fails to disclose any user interface for creating and/or viewing objects edited by a plurality of different applications, as required by the claims. Therefore, *Davis* fails to disclose “an annotation browser configured to . . . provide one or more graphical user interfaces for creating and viewing the one or more annotations.” Accordingly, Applicants submit that the rejection is defective and should be withdrawn.

Further, the Examiner suggests that *Davis* discloses “wherein the annotation browser is configured to display the one or more annotations along with selectable links from each of the one or more annotations to at least one of the plurality of data objects

annotated by the respective annotation of the one or more annotations.” Specifically, the Examiner asserts as follows:

Davis however does disclose . . . wherein the annotation browser is configured to display the one or more annotations along with selectable links from each of the one or more annotations to at least one of the plurality of data objects annotated by the respective annotation of the one or more annotations (See column 6 lines 14-24)

Office Action, pages 3-4. However, *Davis* discloses no such limitation. To illustrate, the cited portion of *Davis* is provided below:

For the class of photographers the scrollable list of selections can include a default list of descriptors (e.g., Mom, Dad, Child1, Child2, #1, #2, etc.), supplemented (or replaced if desired) by a list that is customized by the owner of the camera (e.g., Bill, Kristen, Hannah, David, etc.).
The class of subjects can similarly include a default list (e.g., Birthday, Vacation, Anniversary, Wedding, House, Car, Pet, etc.) and/or a customized list (Uncle Harry, Yellowstone, Mushrooms, Seascapes, etc.)
The user interface for selection of subjects may permit selection of several subjects – providing alternate descriptors for an image.

Davis, col. 6 lines 14-24. The cited portion of *Davis* teaches a scrollable list of predefined metadata from which a user may select to associate with a graphical image. See *Davis*, col. 6 lines 14-24. Respectfully, *Davis* fails to disclose any annotation browser that displays the metadata **associated** with graphical images and selectable links from each of the metadata to at least one of the graphical images. In particular, the cited portions of *Davis* disclose predefined metadata that is *not yet* associated with *any* graphical image. That is, while *Davis* may disclose a graphical user interface displaying metadata *to associate with* a graphical image (e.g., Mom, Dad, Child, etc.), *Davis* fails to disclose an annotation browser that displays a list of metadata *that have been associated* with a graphical image (e.g., Mom (associated with a first graphical image), Mom (associated with a second graphical image), etc.). Put another way, even assuming, *arguendo*, that *Davis* teaches a graphical user interface for creating annotations, *Davis* fails to teach any graphical user interface for displaying the annotations once they have been created. Further, the cited portions of *Davis* fail to disclose any selectable link from the metadata to the graphical image (e.g., “Mom” along with a selectable link to the first graphical image, “Mom” along with a selectable

link to the second graphical image, etc.). Therefore, *Davis* fails to disclose “wherein the annotation browser is configured to display the one or more annotations along with selectable links from each of the one or more annotations to at least one of the plurality of data objects annotated by the respective annotation of the one or more annotations.” Accordingly, Applicants respectfully submit that the rejection is defective and should be withdrawn.

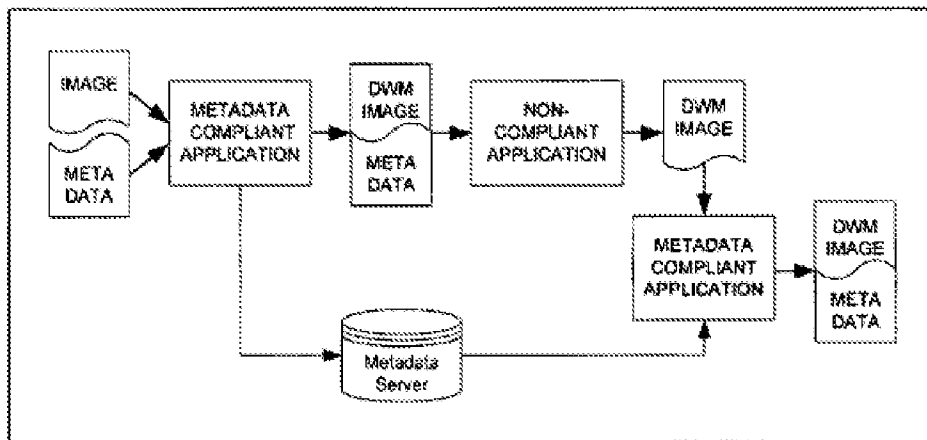
Further, the Examiner suggests that *Davis* discloses “wherein selecting any one of the selectable links causes the respective application for editing the respective data object to be invoked according to the defined relationship between the respective application and the respective data object.” Specifically, the Examiner asserts as follows:

Davis however does disclose . . . wherein selecting any one of the selectable links causes the respective application for editing the respective data object to be invoked according to the defined relationship between the respective application and the respective data object (See column 3 lines 15-20 and figure 3 noting that the application must be compliant application).

Office Action, pages 3-4. However, *Davis* discloses no such limitation. To illustrate, the cited portions of *Davis* are provided below:

Alternatively, the data items may be kept in storage external to the image capture device and associated with selected images by reference, such as through an identifier that matches an identifier hidden in the image. For example, the camera or some other image management system can insert a stregranographic link (e.g., in an image watermark) that associates the image with the desired data items.

Fig. 3



Davis, col. 3 lines 15-20; Figure 3. Generally, *Davis* teaches that an image viewer that adheres to standard guidelines for maintaining image metadata may *embed* metadata in a graphical image. The image viewer may also steganographically hide an *identifier* in the graphical image. Should a non-compliant application ever remove or corrupt the embedded metadata, the identifier may be used to retrieve a copy of the metadata (from the metadata server) to *restore* the embedded metadata in the graphical image. Respectfully, *Davis* fails to disclose displaying image metadata and a *selectable link* from the image metadata to graphical image. Further, *Davis* also fails to disclose that selecting any one of the selectable links causes an application for editing graphical images to be invoked. Therefore, *Davis* fails to disclose “wherein selecting any one of the selectable links causes the respective application for editing the respective data object to be invoked according to the defined relationship between the respective application and the respective data object.” Accordingly, Applicants respectfully submit that the rejection is defective and should be withdrawn.

Further, regarding claim 37, the Examiner suggests that *Eintracht* discloses “wherein the browser application is configured to display a first annotation icon to indicate a displayed data object has a single annotation and a second annotation icon to indicate a displayed data object has multiple annotations.” Specifically, the Examiner asserts as follows:

As for claim 37 *Eintracht* discloses . . . wherein the annotation browser is configured to display a first annotation icon to indicate a displayed data object has a single annotation and a second annotation icon to indicate a displayed data object has multiple annotations (See column 14 lines 29-34).

Office Action, pages 12-13. However, *Eintracht* discloses no such limitation. To illustrate, the relevant portion of *Eintracht* is provided below:

If the number of notes is not equal to zero, the client checks the state of the viewing condition flag in the web browser Note Plug-In application. This variable may have the following values; show document only (corresponding to FIG. 1A), show document in addition to notes (corresponding to FIG. 1B), show document and notes in one web browser frame and a list of notes in another web browser frame (corresponding to FIG. 1C).

Eintracht, col. 14 lines 26-34. Generally, *Eintracht* is directed to synchronizing annotations from multiple clients. Respectfully, *Eintracht* fails to disclose displaying a first icon to indicate that a document has a single note and displaying a second icon to indicate that a document has multiple notes. Therefore, *Eintracht* fails to disclose “wherein the browser application is configured to display a first annotation icon to indicate a displayed data object has a single annotation and a second annotation icon to indicate a displayed data object has multiple annotations.” Accordingly, Applicants respectfully submit that the rejection is defective and should be withdrawn with respect to claim 37.

Therefore, the claims are believed to be allowable, and allowance of the claims is respectfully requested.

Conclusion

Having addressed all issues set out in the office action, Applicants respectfully submit that the claims are in condition for allowance and respectfully request that the claims be allowed.

Respectfully submitted, and
S-signed pursuant to 37 CFR 1.4,

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